

**Informal Meeting Minutes
Monday, September 29, 2008
Meeting Scheduled Start Time: 10:00 AM**

**BOARD OF SUPERVISORS
Maricopa County, Arizona
(and the Boards of Directors of the Flood Control District,
Library District, Stadium District, Improvement Districts,
and/or Board of Deposit)**



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Andrew Kunasek, District 3, Chairman
Max Wilson, District 4, Vice Chairman
Fulton Brock, District 1
Don Stapley, District 2
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

BOS Conference Room
301 W Jefferson, 10th Fl
Phoenix, AZ

BOARD OF SUPERVISORS

The Board of Supervisors of Maricopa County Arizona convened in Informal Session at 10:00 AM on Monday, September 29, 2008, in the BOS Conference Room with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, Supervisor District 1; Max Wilson, Supervisor, District 4 and Mary Rose Wilcox, Supervisor, District 5. Absent: Don Stapley, Supervisor, District 2. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager, and Victoria Mangiapane, Deputy County Attorney.

ACTION

Board of Supervisors

1. INTERVENTION IN REGIONAL SCHOOL DISTRICT AND TREASURER LAWSUIT

Direct staff and counsel to intervene in CV2008-021007; Maricopa County Regional School District No. 509 v. Maricopa County Treasurer, as discussed in Executive Session on September 22, 2008. (ADM3814-004) (C-06-09-120-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

2. NEGOTIATIONS REGARDING LEASE EXTENSION FOR THE REGIONAL SCHOOL DISTRICT # 509

Direct County Manager, staff and counsel to negotiate an extension to lease No. C-18-08-059-1-00 or create new lease terms relating to Maricopa County's lease to Maricopa County Regional School District No. 509 of property located at 358 N. 5th Avenue and 355 N. 5th Avenue as discussed in Executive Session on September 22, 2008. (C-18-08-059-1-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Elections

3. TIE VOTE DRAWING FOR POSITION OF ELECTED PRECINCT COMMITTEEMEN

Authorize the Chairman to draw the winner for each precinct where a tie vote occurred for the final elected position for the office of Precinct Committeemen.

A tie vote for the last position as an elected precinct committeemen exists in two precincts within Maricopa County. Pursuant to A.R.S. 16-649A, If two or more candidates receive an equal number of votes for the same office, and a higher number than any other candidate, whether upon the canvass by the secretary of state or the county board of supervisors, or upon recount by the court, the officer or board whose duty it is to declare the result shall determine by lot and in the presence of the candidates which candidate shall be declared elected. (C-21-09-002-7-00)

The Chairman called Helen Purcell, the Maricopa County Recorder, Karen Osborne and Kristi Passerelli from the Elections Department to the podium to break the tie votes in two Precinct Committeemen races. Tom Husband, Chairman of the Republican Party drew the name for the Republican precinct and Supervisor Wilcox drew for the Democratic precinct. The winners were Russ W. Perry for the Glenrosa Precinct and R.J. Watson for the Tempe 12 Precinct.

Medical Examiner

4. LOCATION RELEASE AGREEMENT AND PERSONAL RELEASE AGREEMENT WITH KIRKSTALL ROAD ENTERPRISES, INC

Authorize the Chairman to execute a Location Release Agreement and a Personal Release Agreement between Kirkstall Road Enterprises, Inc. and Maricopa County through the Office of Medical Examiner. These agreements are necessary for granting to Kirkstall Road Enterprises, Inc. and its licensees, successors and assigns, the right to use the premises located at the Forensic Science Center/Office of the Medical Examiner for the filming and airing of the television program entitled "Vanished". Each agreement is non-financial and is effective from September 4, 2008 until September 4, 2009. (C-29-09-001-3-00)

Chairman Kunasek confirmed with legal counsel, Ms. Mangiapane, that this Agreement has been through a full legal review and is HIPPA compliant.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Workforce Management and Development

5. GRANT APPLICATION FOR RYAN WHITE HIV/AIDS TREATMENT MODERNIZATION ACT – PART A FOR FISCAL YEAR 2009-2010

Approve the application and acceptance of grant funds from Department of Health and Human Services, (H89HA00031), in the not-to-exceed amount of \$7,685,654 for the purpose of providing life saving medical and support services to low income or uninsured people infected with HIV or AIDS. Maricopa County has received Ryan White funds since 1996 and provides medical and supportive services to approximately 3,700 clients annually. The grant award begins on March 1, 2009 and ends on February 28, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 10% rate for indirect costs, or \$104,804.36 which may be incurred by the Ryan White Part A Program or Maricopa County for the

administration of this grant. The Maricopa County Department of Finance has calculated the Ryan White Part A Program's composite indirect cost rate at 10%, or \$104,804.36. The recoverable indirect cost of administering this grant is \$104,804.36; the non-recoverable indirect cost is \$0. Upon receipt of funds and pursuant to A.R.S. §42-17106(B), approve revenue and expenditure appropriation adjustments to the Ryan White Part A Program (392) Public Health Grants (532) associated with the grant in the amount of \$7,685,654 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Ryan White Part A Program receives funds from HRSA, under Part A of the Ryan White Treatment Modernization Act of 2006, to provide services to people infected with, or affected by HIV/AIDS. The grant provides contracts with HIV and AIDS service organizations which deliver/enhance health related and support services for HIV positive/affected persons. These services include, but are not limited to, case management, counseling, outpatient health services, food and nutrition services, legal services, transportation, and emergency financial assistance. Pursuant to federal statute, 85% of the grant funds must be passed through to contractors. HRSA's allowable administration includes: 10% of grant award for Administration and Planning Council Support (\$768,565) and 5% of grant award for Clinical Quality Management (\$384,283). HRSA allows for indirect costs which are included in the 10% Administration and 5% Clinical Quality Management. The estimated indirect Rate is 10% for FY 2008-09; the Recoverable indirect amount is \$55,079. \$6,532,806 is passed through to sub-recipients and not subject to indirect rates charged by departments in Maricopa County. Approve application, receipt of revenue, and expenditure appropriation adjustments to the Public Health Grant Fund (Department 392, Fund 532) associated with the aforementioned grant in an amount of \$7,685,654. The appropriations adjustment is necessary because these funds were not included in the FY 2009 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The forms that require the Chairman of the Boards signature include: Certification Regarding Lobbying, FY 2009 Agreements and Compliance Assurances - Part A Grant Program, and Application for Federal Assistance SF-424. (C-31-09-002-G-00)

Supervisor Wilcox congratulated the Ryan White Commission for their hard work and noted that this grant is larger than other grants awarded in the past.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

6. EXECUTIVE SESSION

Vote to convene in Executive Session to consider items on the Executive Agenda dated Monday, September 29, 2008, pursuant to statutory authority listed for each item.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board